

3. Despite the sixty-day opt-in period that was ordered by the Court, Plaintiffs Julius Thornton, Sybrina Ware, and Priscilla Meeks proceeded to file their consent forms with this Court on July 28, 2008, almost three weeks after the opt-in period had expired.

4. Plaintiffs did not file a Motion to file Consents out of time nor have they presented any evidence that there is a compelling reason or good cause to accept their untimely Consent forms.

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully requests that this Honorable Court GRANT this Motion to Strike.

Dated: July 31, 2008

/s/ **Lexer I. Quamie**

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* James J. Kelley and Lexer Quamie have been admitted to this Court pro hac vice.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July 2008, I caused a copy of the foregoing Defendant's Motion to Strike Opt-in Plaintiffs Julius Thornton, Sybrina Ware, and Priscilla Meeks From the Class to be served via electronic mail upon:

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